

Application Serial No. 10/676,511
Reply to Office Action of October 5, 2004

PATENT
Docket: CU-3385

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

SPECIFICATION

Applicant respectfully recognizes the concern that the Specification may contain some texts not fully conforming to the conventional English grammatical practices, perhaps partly due to the problems related to literal translation. Nevertheless, it is respectfully submitted that the requirements under 35 U.S.C. 112, ¶1, including the written description and enabling disclosure requirements, have been sufficiently met by the present application of the originally filed Specification including claims and the drawings.

The requirements under 35 U.S.C. 112, ¶1 are that "the Specification shall contain [1] a **written description** of the invention, and of the manner and process of making and using it, [2] in such full, clear, and exact terms to **enable** any person skilled in the art..."

Applicant respectfully submits that when the originally filed Specification of the present application are considered together with the drawings, "the manner and process of making and using it" are sufficiently described so as to enable any person skilled in the art. That is, even though some grammatical errors may exist in the text of the Specification, the present application originally filed as a whole is considered to contain a disclosure that is in such full, clear, and exact terms **sufficiently enough** to enable any person skilled in the art. For these reasons, Applicant respectfully request withdrawal of the objections to the Specification.

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The indicated texts "smells offensive odor" (page 13, line 13) has been corrected to --produces offensive odor-- and "which makes big problem" (page 6, line 18) has been deleted.

ABSTRACT

The Abstract has been amended to conform to the rules of the USPTO.

CLAIMS

Claims 1-9 are pending in the present application before this amendment. By the present amendment, Claims 1 and 4-5 have been canceled without prejudice, and Claims 2-3 and 6-9 have been amended. Claims 10-22 has have been added. No new matter has been added.

No additional fee for new claims is believed to be required since a total of 19 claims would be pending by the present amendment with three independent claims.

Claims 1-9 stand rejected under 35 U.S.C. § 112, ¶2 as being indefinite.

All issues related to the indefiniteness are considered to have been removed by the present amendment of claims. Withdrawal of the rejection is respectfully requested.

Claims 1-9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,405,680 (Fukunaga). The "et al." suffix, which may appear after a reference name, is omitted in this paper.

Applicant respectfully submits that Fukunaga fails teach or disclose the independent Claims 2 and 14.

As to Claim 2, Fukunaga does not teach, inter alla, the claimed evacuation room

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and the lodging room separated by a gate where the claimed urine tube is installed on the bottom of the evacuation room. The animal gains access to the evacuation room when the gate is opened to urinate and dispose excrements out of the animal's body in the evacuation room. Fukunaga appears to describe partitions, but does not teach the above and other claimed limitations of Claim 2.

Further as to Claim 14, Fukunaga does not teach, inter alia, the claimed -- continuous passage way [that] is formed by the evacuation rooms along the back wall of the lodging room when the evacuation room gates of the pig houses are in closed position--. As shown in FIG. 9 and described in the Specification page 20, lines 1-14, a motor car may be driven through the continuous passage way to clean out the excretion of the animal in the evacuation rooms.

For the reasons set forth above, Applicant respectfully submits that Claims 2-3 and 6-21, now pending in this application, are in condition for allowance over the cited references. This amendment is considered to be responsive to all points raised in the Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and earnestly solicits an indication of allowable

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subject matter. Should the Examiner have any remaining questions or concerns, the Examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,



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